

**MINUTES FROM THE MEETING OF
THE ST. CHARLES CITY COUNCIL
MONDAY, JUNE 5, 2017 – 7:00 P.M.
CITY COUNCIL CHAMBERS, IN THE CITY COUNCIL CHAMBERS
2 E. MAIN STREET, ST. CHARLES, IL 60174**

1. **Call to Order** by Mayor Rogina at 7:05pm
2. **Roll Call.**
3. **Invocation** by Ald. Rita Payleitner
4. **Pledge of Allegiance** by Lora Vitek
5. **Presentations**
 - Presentation of Recognition of the Chamber of Commerce Council for Industry Scholarship Winners, Max Hanson, St. Charles East High School, and Luke Feeney, St. Charles North High School, by Stacey Eckstrom from the Chamber of Commerce, and Rita Tungare from the City of St. Charles.
 - Presentation by Chief Keegan of the City of St. Charles Volunteer Award to Nancy McFarland.
 - Presentation of the Employer Support of the Guard and Reserve (ESGR) Patriotic Employer Award to Mayor Rogina and Chief Keegan by Troy Stinson, ESGR and Officer Karnath of the City of St. Charles Police Department.
 - Promotion of Detective Andrew Lamela to Sergeant of the City of St. Charles Police Department.
 - Presentation by Vanessa Bell-Lasota of Upcoming Festival of the Fox with Mascot “Paddles”.
 - Proclamation from the City of St. Charles and the St. Charles Park District to recognize Swim City USA.
6. **Motion to approve Omnibus Vote made by Ald. Stellato, seconded by Ald. Silkaitis**
-Moved with the removal of item #7, item to be voted on separately

Omnibus Vote. Items with an asterisk (*) are considered to be routine matters and will be enacted by one motion. There will be no separate discussion on these items unless a council member/citizen so requests, in which event the item will be removed from the consent agenda and considered in normal sequence on the agenda.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Gaugel,
Vitek, Bessner, Lewis

NAY: 0 ABSENT: Bancroft

MOTION CARRIED

7. Motion to accept and place on file minutes of the regular City Council meeting held May 15, 2017 as amended made by Ald. Stellato, seconded by Ald. Silkaitis

Payleitner – Your Honor, I'd like to amend and make a correction for the Government Services minutes. The minutes showed myself and Ald. Lewis voting against approval of the minutes, I'd like the record reflect that we unanimously approved the minutes from March 27th Government Services Meeting.

VOICE VOTE: UNANIMOUS ABSENT: Bancroft MOTION CARRIED

- *8. Motion to approve and authorize issuance of vouchers from the Expenditure Approval List for the period of 05/08/2017- 05/21/2017 the amount of \$5,275,591.09 moved by Ald. Stellato, seconded by Ald. Silkaitis

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Gaugel,
Vitek, Bessner, Lewis
NAY: 0 ABSENT: Bancroft
MOTION CARRIED

I. New Business

- A. Presentation of a recommendation from Mayor Rogina to appoint Jayme Muenz to the St. Charles Youth Commission moved by Ald. Lemke, seconded by Ald. Silkaitis

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Gaugel,
Vitek, Bessner, Lewis
NAY: 0 ABSENT: Bancroft
MOTION CARRIED

- B. Presentation of a recommendation from Mayor Rogina to appoint Brian Travilla to the St. Charles Mental Health Board moved by Ald. Stellato, seconded by Ald. Bessner

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Gaugel,
Vitek, Bessner, Lewis
NAY: 0 ABSENT: Bancroft
MOTION CARRIED

- C. Motion to approve an E6 Special Late Night Permit for Shakou, 312 W. Main Street, St. Charles, for June 19, 2017 moved by Ald. Turner, seconded by Ald. Lemke

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Gaugel,
Vitek, Bessner, Lewis
NAY: 0 ABSENT: Bancroft
MOTION CARRIED

II. Old Business

- A. Recommendation to postpone the vote to select the Rt. 31 and Red Gate Road site as the new location for the Police Facility until July 3, 2017 moved by Ald. Stellato, seconded by Ald. Silkaitis

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Gaugel,
Vitek, Bessner, Lewis
NAY: 0 ABSENT: Bancroft
MOTION CARRIED

III. Committee Reports

A. Government Operations

- *1. Motion to approve a Class B liquor license application for new owners to take over Taste of Himalayas located at 110 N 3rd Street, St. Charles moved by Ald. Stellato, seconded by Ald. Silkaitis

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Gaugel,
Vitek, Bessner, Lewis
NAY: 0 ABSENT: Bancroft
MOTION CARRIED

2. Motion to approve Wal-Mart Online Ordering and Grocery Pickup through www.grocery.walmart.com moved by Ald. Turner, seconded by Ald. Lemke

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Gaugel,
Vitek, Bessner
NAY: Lewis ABSENT: Bancroft
MOTION CARRIED

- *3. Motion to approve funding for the Downtown St. Charles Partnership in an amount of \$234,401.00 for FY17/18 moved by Ald. Stellato, seconded by Ald. Silkaitis

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Gaugel,

Vitek, Bessner, Lewis
NAY: 0 ABSENT: Bancroft
MOTION CARRIED

- *4. Motion to approve the Service Agreement and funding for the History Center in the amount of \$31,500 for FY2017/18 moved by Ald. Stellato, seconded by Ald. Silkaitis

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Gaugel,
Vitek, Bessner, Lewis
NAY: 0 ABSENT: Bancroft
MOTION CARRIED

- *5. Motion to approve an **Ordinance** 2017-M-11 Ascertaining Prevailing Wages for the City of St. Charles for Kane and DuPage Counties moved by Ald. Stellato, seconded by Ald. Silkaitis

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Gaugel,
Vitek, Bessner, Lewis
NAY: 0 ABSENT: Bancroft
MOTION CARRIED

- *6. Motion to accept and place on file minutes of the May 15, 2017 Government Operations Committee meeting moved by Ald. Stellato, seconded by Ald. Silkaitis

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Gaugel,
Vitek, Bessner, Lewis
NAY: 0 ABSENT: Bancroft
MOTION CARRIED

B. Government Services

- *1. Motion to accept and place on file the Minutes of the April 24, 2017 Government Services Committee Meeting moved by Ald. Stellato, seconded by Ald. Silkaitis

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Gaugel,
Vitek, Bessner, Lewis
NAY: 0 ABSENT: Bancroft
MOTION CARRIED

Gaugel – Your Honor, before we vote on item B-2, I'd like to make a motion to amend the proposed ordinance 2017-M to remove the section "Fencing/Screening" which states "all hives shall be screened from neighboring properties by fencing or vegetation a height on no less than six feet."

Rogina – Can I get a second?

Vitek – Seconded

Rogina – Seconded by Vitek, on an amendment to the proposed ordinance. Does everyone understand? We haven't voted on the ordinance, we are just amending the proposed ordinance as it stands by excluding fencing and screening. That requirement no longer exists as the ordinance is printed. Does everyone understand the essence of Ald. Gaugel's motion to amend the proposal? We're going to vote on the amendment to subtract that item from the ordinance. Anything further? A Yes vote means you want it subtracted and you support the subtraction a No vote means you do not support the subtraction of it.

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Gaugel,
Vitek, Bessner, Lewis

NAY: 0 ABSENT: Bancroft

MOTION CARRIED

Rogina – OK, that's unanimous and will be taken out. Now to Ald. Payleitner to make the main motion as amended.

2. Motion to approve an **Ordinance** 2017-M-12 Amending Title 6 of the St. Charles Municipal Code, Entitled "Animals", Chapter 6.04 "Definitions" by adding Section 6.04.055 "Beekeeping" and Chapter 6.12 "Regulations", by adding Section 6.12.085 "Beekeeping", as amended, moved by Ald. Payleitner, seconded by Ald. Stellato

Rogina – Are there any questions or comments regarding the motion of the amended motion? Ald. Lewis.

Lewis – Thank you, your Honor. I would like to make a statement regarding this topic. I've had several discussions and conversations in the past few weeks regarding this issue. At the last Government Service Meeting I was not in favor of it. However, after these conversations I have decided to support this ordinance. A few months ago I was looking for a compromise and I believe we have found that compromise with the removal of the fencing and screening. I believe what's left is simply what beekeepers are already doing. That we would expect of any pet owner a license, water, a clean environment, a limit to how many you can have and the 20 feet is simply being a good neighbor to your next-door neighbors. So, I believe this is the compromise I was looking for and I will be supporting it.

Rogina – Well said Ald. Lewis I appreciate that, thank you. Anything further?

Turner- I have really thought about this a lot. I still cannot really accept this because when it comes down to the bottom line, this is just a neighbor verses neighbor issues and I don't this that qualifies for us to enact another ordinance. Hissy fits aren't a good reason for a new ordinance so I'll be voting no on this one.

Rogina – Anyone else?

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke,
Bessner, Lewis

NAY: Turner, Gaugel, Vitek ABSENT: Bancroft

MOTION CARRIED

3. Motion to approve an **Ordinance** 2017-M-13 Amending Title 9 of the St. Charles Municipal Code, Entitled “Public Peace, Morals, and Welfare”, Chapter 9.45 “Nuisance Abatement” by amending Section 9.45.020 “Definitions” by adding Item 21, “Violation of Beekeeping” moved by Ald. Payleitner, seconded by Silkaitis

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke,
Bessner, Lewis

NAY: Turner, Gaugel, Vitek ABSENT: Bancroft

MOTION CARRIED

Rogina – Ald. Lewis said it pretty well but I wanted to add on. There was some speculation early on that there could be a tie. That the Mayor might have to make a tie-breaking vote, where would he go? I believe this is a fair ordinance and what I think it does is several things. I don't think it interferes at all with good beekeeping. I think we've shown this in all the committee meeting, we've got neuromas good beekeepers in our committee and this allows them to keep their hobby in tact with minimal undo influence from the city. Once again, that's my opinion. With respect to our staff, it gives them some benchmarks to have in the event that there is, to Ald. Turner's point, a dispute. I wanted to say to the city council, I appreciate the fact that we have debated this long and hard over several meetings and I appreciate all your intensity, wisdom and understanding. With that we move along.

- *4. Motion to approve a **Resolution** 2017-70 Authorizing the Mayor and City Clerk of the City of St. Charles to execute a Contract to Viking Chemical for a one year period beginning May 1, 2017 through April 30, 2018 and to authorize Staff to exercise the optional second year period beginning May 1, 2018 through April 30, 2019 based on 2018-2019 budget approval and contractor performance moved by Ald. Stellato, seconded by Ald. Silkaitis

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Gaugel,
Vitek, Bessner, Lewis

NAY: 0 ABSENT: Bancroft

MOTION CARRIED

- *5. Motion to approve a **Resolution** 2017-71 Authorizing the Mayor and City Clerk of the City of St. Charles to Accept an Electric Easement at Fox Island Square (12 Indiana Street) moved by Ald. Stellato, seconded by Ald. Silkaitis

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Gaugel,
Vitek, Bessner, Lewis

NAY: 0 ABSENT: Bancroft

MOTION CARRIED

- *6. Motion to approve a **Resolution** 2017-72 Authorizing the Mayor and City Clerk of the City of St. Charles to approve a Budget Addition to the Expense Budget in the Electric Utility to Offset New Business Projects moved by Ald. Stellato, seconded by Ald. Silkaitis

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Gaugel,
Vitek, Bessner, Lewis

NAY: 0 ABSENT: Bancroft

MOTION CARRIED

- *7. Motion to approve an **Ordinance** 2017-M-14 Amending Title 13 “Public Utilities”, Chapter 13.08 “Electricity”, Section 13.08.050 “Equipment-Furnished and maintained by customer”, Section 13.08.150 “General terms and conditions”, and Section 13.08.200 “Lien – Claim by city – Notice to owner” of the St. Charles Municipal Code moved by Ald. Stellato, seconded by Ald. Silkaitis

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Gaugel,
Vitek, Bessner, Lewis

NAY: 0 ABSENT: Bancroft

MOTION CARRIED

- *8. Motion to approve the Use of City Property at 1st Street Plaza for the Installation of Decorative Hanging Lights moved by Ald. Stellato, seconded by Ald. Silkaitis

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Gaugel,
Vitek, Bessner, Lewis

NAY: 0 ABSENT: Bancroft
MOTION CARRIED

- *9. Motion to approve a **Resolution** 2017-73 Authorizing the Mayor and City Clerk of the City of St. Charles to award the bid for Pest Control Services to Earth Pest Control moved by Ald. Stellato, seconded by Ald. Silkaitis

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Gaugel,
Vitek, Bessner, Lewis

NAY: 0 ABSENT: Bancroft
MOTION CARRIED

- *10. Motion to approve a **Resolution** 2017-74 Authorizing the Mayor and City Clerk of the City of St. Charles to award the bid for Lab Building Roof Rehabilitation to Select Construction Group, LLC moved by Ald. Stellato, seconded by Ald. Silkaitis

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Gaugel,
Vitek, Bessner, Lewis

NAY: 0 ABSENT: Bancroft
MOTION CARRIED

- *11. Motion to approve a **Resolution** 2017-75 Authorizing the Mayor and City Clerk of the City of St. Charles to award the Bid for Sidewalk Lifting Services to B&B Concrete Lifting moved by Ald. Stellato, seconded by Ald. Silkaitis

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Gaugel,
Vitek, Bessner, Lewis

NAY: 0 ABSENT: Bancroft
MOTION CARRIED

- *12. Motion to approve a **Resolution** 2017-76 Authorizing the Mayor and City Clerk of the City of St. Charles to authorize a Purchase Order for Concrete Materials to VCNA Prairie LLC moved by Ald. Stellato, seconded by Ald. Silkaitis

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Gaugel,
Vitek, Bessner, Lewis

NAY: 0 ABSENT: Bancroft
MOTION CARRIED

- *13. Motion to approve a **Resolution** 2017-77 Authorizing the Mayor and City Clerk of the City of St. Charles to approve a Design Engineering Agreement for the 7th Avenue Creek Culvert Replacement at John Deutsch Drive and Culvert Repairs at 7th Avenue to HR Green moved by Ald. Stellato, seconded by Ald. Silkaitis

ROLL CALL VOTE: AYE: Stellato, Silkaitis, Payleitner, Lemke, Turner, Gaugel,
Vitek, Bessner, Lewis

NAY: 0 ABSENT: Bancroft

MOTION CARRIED

C. Planning and Development – Nothing further

D. Executive Session - None

9. Additional Items from Mayor, Council, Staff, or Citizens

William Page 1121 S. 2nd Street – The reason I’m here tonight is not to be critical but to bring information about a situation. On Riverside, the two crossings, they’re labeled light crossings for bikes to get across. I wanted to address, on the weekends we have a lot of traffic, a lot of bikers that come down here for the bike paths. The problem is that nobody stops. No cars are stopping for pedestrian traffic to cross and it is actually a pedestrian crossing. The situation is that it’s a State route and the state puts up the signs saying “Bike Crossing” and it is pointless. Few people actually stop. I wonder if I’m in danger by doing what you’re supposed to do. Generally speaking you’ll stop and people in that intersection will pass. I spoke with many people, and there is little we can do about signage, as it is a state route. I worry someone will get killed, not hurt, but killed. You know as well as I, the next person to drive 30 MPH through that intersection will be the first. What’s important to note is that there could be a string of cars and no one will stop. I suggest that you all visit this weekend and see what I’m talking about, it is really frightening because there are kids and no one stops. Something has to be done, I don’t know what the solution is but something has to be done. It’s just not safe.

Rogina – Thank you and I appreciate your comments and of course Chief Keegan is here tonight and he won’t make a response tonight but I think Chief has listened carefully and we have dealings with the state with some other matters and you’re right. Sometimes they are slow to react. He has taken the information and he will interact with you directly. Further, I know what you’re talking about, I run down there and your point is well taken.

Payleitner – I’m well aware of where you’re talking about, is that joining 2 bike paths? Correct? Who owns the bike path? Is that a park district bike path?

Page – One side of the bike path is park district.

Payleitner – As part of the bike trail could they not put up a flashing light? I know there's one at Bulcom and Randall and that is part of the bike trail.

Page – Right, it is also a pedestrian and bike crossing. It's very confusing, people say there are too many signs, too many flashing lights and people don't pay attention. There are hundreds of people that move across either one of those.

Rogina – I have great faith in our staff that when these issues come up like this, traffic crossing and so on, they investigate it and respond.

Ronda Russ 4550 Fox Grove Drive - We are new to the St. Charles community. We have lived in several communities and I'm very surprised and disappointed by the quality of the water in St. Charles. In our community we have yellow, red and brown colored water. We cannot drink out of the faucet. When my kids wake up at night and want a drink, we cannot use the water from the sink. My question is, you advertise that St. Charles is a quality place to raise a family and we pay for it in our tax dollars but the quality of the water is defiantly not what we expect for the lifestyle we pay for. We have to spend thousands of dollars to soften our water, paying for Reverse Osmosis systems for the water and filtration for the water all the money that goes into that just to live here and be able to use the water. Why are we paying more money and getting a lesser quality water while other cities pay less and have better quality water? Plus the hardness ruins the faucets, stains the clothes and turns them yellow. I'm very surprised and disappointed by the water.

Turner – I've talked to the mayor about this more than a few times. I think I also sent you a stopgap solution that the water department is going to do in a few weeks and trying to keep that pipe flushed out. As far as the hardness, I totally agree with you. I've made a suggestion that we discuss this at our fall retreat and we start addressing this issue and begin to balance the water. Hardness of the water on the west side is far more than the water on the east side and we're going to have to re-address that balance sooner rather than later. It might take a few years, I don't know the cost but we are going to work on it and I think we have it scheduled for November but we can make a decision in the spring on when and how we're going to handle this.

Rogina – Dually noted, you did submit that as a requested item for the fall retreat. If I could, on a procedural standpoint, we appreciate your input and this is why we have this section of the meetings. As far as the council getting any long debate in the subject or having any facts and figures to respond and this would be Ald. Payleitner's committee on the 4th Monday of the month. We placed this on the agenda for some intense discussion. Meanwhile, if I may say, our staff will respond to you on a one-on-one situation and in the short run you won't have to worry about not getting a response from the city with respect to the staff and dialog on the topic. As Ald. Turner suggested, the long term

solution is not easy, its complex and I cannot and will not rebut anything you've said and I cannot say if it is because its new construction or just your neighborhood, I'll defer to staff for that information. I've been in St. Charles for over 40 years and the hardness of the water is not debatable across the city. To the point about other cities having softer water, that's accounted for in any kind of billing that is done. So, I want to point that out. To your point, we need to solve this on the short run so you don't have brown and yellow water if that is the case. Staff has heard this issues and may very well dialog with you before you leave tonight.

10. Adjournment – Motion to adjourn by Ald. Turner, seconded by Ald. Bessner at 7:55pm

VOICE VOTE UNANIMOUS **MOTION CARRIED** ABSENT: Bancroft